

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

KLALEH J. PARKER,

Plaintiff,

v.

HILTON GRAND VACATIONS
COMPANY LLC,

Defendant.

Case No. 2:24-cv-02263-GMN-NJK

Order

[Docket No. 24]

Pending before the Court is the parties' stipulation to stay discovery pending the outcome of Defendant's motion to compel arbitration. Docket No. 24.

The Court has broad discretionary power to control discovery. *See, e.g., Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). "The Federal Rules of Civil Procedure do not provide for automatic or blanket stays of discovery when a potentially dispositive motion is pending." *Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 601 (D. Nev. 2011). The party seeking a stay of discovery bears the burden of making a strong showing that discovery should be denied. *Turner Broad. Sys., Inc. v. Tracinda Corp.*, 175 F.R.D. 554, 556 (D. Nev. 1997). Discovery may be stayed when: (1) there is a pending motion that is potentially dispositive; (2) the potentially dispositive motion can be decided without additional discovery; and (3) the Court has taken a "preliminary peek" at the merits of the underlying motion. *Kor Media Group, LLC v. Green*, 294 F.R.D. 579, 581 (D. Nev. 2013). When the pending motion is one seeking to compel arbitration, a stay is appropriate when the preliminary peek reveals that there is a reasonable possibility or probability that the district judge will compel arbitration. *See Shaughnessy v. Credit Acceptance Corp. of Nev.*, 2007 WL 9728688, at *2-3 (D. Nev. Nov. 28, 2007) (granting motion to stay discovery based on, *inter alia*, the "reasonable possibility or probability that the District Judge will grant

1 Defendant's motion to compel arbitration"). Courts frequently stay discovery pending resolution
2 of a motion to compel arbitration. *See, e.g., Mahamedi IP Law, LLP v. Paradice & Li, LLP*, 2017
3 WL 2727874, at *1 (N.D. Cal. Feb. 14, 2017) (collecting cases).

4 The Court agrees with the parties that these elements are present here. The motion is
5 potentially dispositive of the case and may be decided without discovery.¹ Moreover, the
6 undersigned finds that there is a reasonable possibility or probability that the district judge will
7 grant the motion to compel arbitration.²

8 Accordingly, the Court **GRANTS** the stipulation to stay discovery pending the resolution
9 of Defendant's motion to compel arbitration. Docket No. 24. In the event the underlying motion
10 to compel is not granted, a joint discovery plan must be filed within 14 days of the resolution of
11 the motion to compel.

12 IT IS SO ORDERED.

13 Dated: August 5, 2025

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15 Nancy J. Koppe
16 United States Magistrate Judge
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23 ¹ The parties disagree whether discovery is needed to decide the underlying motion to
24 compel arbitration. Docket No. 24 at 2, n.1. The Court is not persuaded that discovery is required
for the resolution of the motion to compel.

25 ² Conducting the preliminary peek puts the undersigned in an awkward position because
26 the assigned district judge will decide the motion to compel and may have a different view of its
27 merits. *See Tradebay*, 278 F.R.D. at 603. The undersigned's "preliminary peek" at the merits of
28 the motion to compel is not intended to prejudice its outcome. *See id.* As a result, the undersigned
will not provide a lengthy discussion of the merits of the pending motion in this instance.
Nonetheless, the undersigned has carefully reviewed the arguments presented in the underlying
motion and subsequent briefing. *See* Dockets Nos. 14, 21, 23.